

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

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Bismarck, February 9, 2001

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

The prayer was offered by Pastor Jonathan Starks, Calvary Presbyterian Church, Ryder.

The roll was called and all members were present except Representatives Froelich and Weisz.

A quorum was declared by the Speaker.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to HB 1004 HB 1006, HB 1014, HB 1020, HB 1021, HB 1043, HB 1052, HB 1085, HB 1109, HB 1117, HB 1141, HB 1155, HB 1198, HB 1208, HB 1226, HB 1228, HB 1267, HB 1276, HB 1281, HB 1347, HB 1360, HB 1375, HB 1376, HB 1378, HB 1413, HB 1450, and HCR 3008 be adopted, which motion prevailed.

HB 1043 HB 1109, HB 1141, HB 1208, HB 1281, and HB 1376, as amended, were rereferred to the **Appropriations Committee**.

HB 1004 HB 1006, HB 1014, HB 1020, HB 1021, HB 1052, HB 1085, HB 1117, HB 1155, HB 1198, HB 1226, HB 1228, HB 1267, HB 1276, HB 1347, HB 1360, HB 1375, HB 1378, HB 1413, HB 1450, and HCR 3008, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

REP. BELTER MOVED that HB 1395, HB 1051, HB 1163 and HB 1187 be laid over one legislative day, and HB 1040, HB 1041, HB 1042 and HB 1291 be laid over one legislative day, and HB 1039, HB 1362 and HB 1431 be laid over one legislative day, which motion prevailed.

MOTION

REP. CARLSON MOVED that HB 1345, which is on the Eleventh order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Carlson's motion, HB 1345 was rereferred.

MOTION

REP. BELTER MOVED that the House reconsider its action whereby HB 1280 failed to pass, which motion prevailed on a verification vote.

MOTION

REP. BELTER MOVED that HB 1280 be laid over one legislative day, which motion prevailed.

MOTION

REP. BELTER MOVED that HB 1276 be placed at the top of the Eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1276: A BILL for an Act to amend and reenact subsection 2 of section 47-05-02.1 of the North Dakota Century Code, relating to conservation easements.

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 75 YEAS, 21 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Belter; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Fairfield; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gullerson; Gunter; Haas; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Kliniske; Koppang; Koppelman; Kretschmar; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson;

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

NAYS: Aarsvold; Bellew; Berg; Carlson; Clark; Delzer; Ekstrom; Grande; Hanson; Kasper; Keiser; Kelsh, S.; Kerzman; Klemin; Kroeber; Metcalf; Mueller; Niemeier; Nottestad; Solberg; Wrangham

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1276, as amended, passed and the title was agreed to.

MOTION

REP. BELTER MOVED that HB 1438 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1438: A BILL for an Act to amend and reenact subsection 2 of section 47-05-02.1 of the North Dakota Century Code, relating to duration of easements.

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

YEAS: Boucher; Cleary; Delmore; Disrud; Ekstrom; Fairfield; Glassheim; Grumbo; Hanson; Jensen; Johnson, N.; Kelsh, S.; Kerzman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Metcalf; Mueller; Niemeier; Nottestad; Porter; Sandvig; Schmidt; Solberg; Thorpe; Wentz; Winrich

NAYS: Aarsvold; Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Gullerson; Gunter; Haas; Hawken; Herbel; Huether; Hunskor; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Martinson; Meier; Monson; Nelson; Nicholas; Onstad; Pietsch; Pollert; Price; Renner; Rennerfeldt; Ruby; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Warner; Weiler; Wikenheiser; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1438 lost.

SECOND READING OF HOUSE BILL

HB 1089: A BILL for an Act to create and enact a new subsection to section 12.1-30-03 and a new section to chapter 50-06 of the North Dakota Century Code, relating to businesses allowed to operate on Sunday and compulsive gambling services; to amend and reenact section 53-06.1-01, subsections 3 and 4 of section 53-06.1-01.1, subsections 1 and 4 of section 53-06.1-03, subsections 1, 3, and 5 of section 53-06.1-06, sections 53-06.1-07.2, 53-06.1-07.4, and 53-06.1-10, subsection 2 of section 53-06.1-11.1, subsections 1 and 2 of section 53-06.1-14, subsections 3 and 8 of section 53-06.1-15.1, and subsection 2 of section 53-06.1-16 of the North Dakota Century Code, relating to games of chance; to repeal section 53-06.1-18 of the North Dakota Century Code, relating to compulsive gambling services; 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 82 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

Pietsch; Pollert; Porter; Price; Renner; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, L.; Tieman; Timm; Wald; Warner; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Bellew; Berg; Byerly; Carlson; Clark; Cleary; Delzer; Kasper; Lemieux; Rennerfeldt; Ruby; Skarphol; Thoreson, B.; Thorpe

ABSENT AND NOT VOTING: Froelich; Weisz

Engrossed HB 1089 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

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

ROLL CALL

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

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

ABSENT AND NOT VOTING: Eckre; Froelich; Weisz

Engrossed HB 1170 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1181: A BILL for an Act to amend and reenact subsection 1 of section 4-05.1-16, subsection 5 of section 4-05.1-19, section 4-05.1-20, and subsection 1 of section 4-05.1-21 of the North Dakota Century Code, relating to state board of agricultural research and education biennial budget requests and use of agricultural research fund annual proceeds; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 14 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boucher; Brandenburg; Brekke; Brusegaard; Carlisle; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Warner; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Bellew; Boehm; Byerly; Carlson; Delzer; Drovdal; Fairfield; Hawken; Kasper; Keiser; Kelsh, S.; Skarphol; Thorpe; Wald

ABSENT AND NOT VOTING: Eckre; Froelich; Weisz

Reengrossed HB 1181 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1193: A BILL for an Act to amend and reenact section 28-26-06 of the North Dakota Century Code, relating to the assessment of legal fees following a judgment.

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 86 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Boucher; Delmore; Fairfield; Mahoney; Onstad; Pollert; Ruby; Thorpe; Winrich

ABSENT AND NOT VOTING: Eckre; Froelich; Weisz

Engrossed HB 1193 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1237: A BILL for an Act to create and enact a new subsection to section 53-06.1-06 of the North Dakota Century Code, relating to the use of electronic bingo card marking 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 71 YEAS, 25 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delzer; Devlin; Dosch; Drovdal; Fairfield; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Guleson; Haas; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Kelsh, S.; Kempenich; Kerzman; Klein, F.; Klein, M.; Klemin; Koppelman; Lemieux; Lloyd; Martinson; Meier; Metcalf; Monson; Mueller; Nicholas; Niemeier; Pietsch; Pollert; Price; Renner; Rennerfeldt; Ruby; Sandvig; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Timm; Wald; Warner; Wentz; Wrangham; Speaker Bernstein

NAYS: Delmore; Disrud; Eckre; Ekstrom; Gunter; Hanson; Hawken; Keiser; Kelsch, R.; Kingsbury; Kliniske; Koppang; Kretschmar; Kroeber; Mahoney; Maragos; Nelson; Nottestad; Onstad; Porter; Schmidt; Thoreson, L.; Weiler; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Froelich; Weisz

Engrossed HB 1237 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1284: A BILL for an Act to amend and reenact sections 61-05-13, 61-06-01, 61-10-31, and 61-10-38 of the North Dakota Century Code, relating to organization, government, and boundaries of irrigation districts.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Froelich; Gulleeson; Weisz

Engrossed HB 1284 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1304: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the practice of interpreting for the deaf and hard-of-hearing.

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, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Delzer; Froseth

ABSENT AND NOT VOTING: Froelich; Weisz; Speaker Bernstein

Engrossed HB 1304 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1448: A BILL for an Act to create and enact a new subsection to section 14-02.5-02 of the North Dakota Century Code, relating to rental property for unmarried couples.

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 65 YEAS, 31 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Haas; Huether; Hunskor; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Nicholas; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Tieman; Timm; Wald; Weiler; Wikenheiser; Wrangham; Speaker Bernstein

NAYS: Boucher; Cleary; Delmore; Ekstrom; Fairfield; Glassheim; Grumbo; Gulleson; Gunter; Hanson; Hawken; Herbel; Jensen; Keiser; Kelsh, S.; Kerzman; Kroeber; Lemieux; Maragos; Mueller; Nelson; Niemeier; Nottestad; Onstad; Sandvig; Schmidt; Thoreson, L.; Thorpe; Warner; Wentz; Winrich

ABSENT AND NOT VOTING: Froelich; Weisz

Engrossed HB 1448 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1452: A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, relating to experimental vehicles; and to declare an emergency.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Froelich; Weisz

Engrossed HB 1452 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1213: A BILL for an Act to create and enact two new sections to chapter 26.1-26.6 of the North Dakota Century Code, relating to the bail bond forfeiture and exoneration; and to amend and reenact sections 26.1-26.6-08 and 26.1-26.6-09 of the North Dakota Century Code, relating to fees for bail bondsmen and bail bond forfeiture.

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, 95 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Froelich; Maragos; Weisz

HB 1213 lost.

SECOND READING OF HOUSE BILL

HB 1218: A BILL for an Act to amend and reenact subsection 4 of section 39-08-01 of the North Dakota Century Code, relating to driving under the influence of intoxicating liquor or any other drug or substance; to provide an expiration date; and to declare an emergency.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Froelich; Weisz

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

SECOND READING OF HOUSE BILL

HB 1251: A BILL for an Act to create and enact a new subdivision to subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to unemployment compensation treatment of partnerships and limited liability companies; and to amend and reenact subsection 14 and paragraph 2 of subdivision a of subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to unemployment compensation coverage of managers of limited liability companies.

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 56 YEAS, 40 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Cleary; DeKrey; Devlin; Disrud; Dosch; Froseth; Galvin; Grosz; Gunter; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppelman; Kretschmar; Lemieux; Mahoney; Maragos; Martinson; Meier; Monson; Nelson; Pietsch; Pollert; Porter; Renner; Rennerfeldt; Ruby; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Weiler; Wentz

NAYS: Aarsvold; Brekke; Byerly; Carlisle; Carlson; Clark; Delmore; Delzer; Drovdal; Eckre; Ekstrom; Fairfield; Glassheim; Grande; Grumbo; Gullerson; Haas; Hanson; Kelsh, S.; Kempenich; Kerzman; Koppang; Kroeber; Lloyd; Metcalf; Mueller; Nicholas; Niemeier; Nottestad; Onstad; Price; Sandvig; Schmidt; Skarphol; Solberg; Warner; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1251 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1316: A BILL for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.2 and subsection 2 of section 57-38-31 of the North Dakota Century Code, relating to the filing status and reductions for married individuals filing the long-form income tax return; 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 46 YEAS, 50 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Berg; Boehm; Boucher; Brandenburg; Brekke; DeKrey; Delmore; Disrud; Dosch; Fairfield; Froseth; Grande; Grumbo; Gulleson; Gunter; Hawken; Huether; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein, F.; Klemin; Koppelman; Lemieux; Maragos; Martinson; Monson; Nelson; Nicholas; Niemeier; Porter; Ruby; Solberg; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Warner; Weiler

NAYS: Belter; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Delzer; Devlin; Drovdal; Eckre; Ekstrom; Galvin; Glassheim; Grosz; Haas; Hanson; Herbel; Hunskor; Kempenich; Kingsbury; Klein, M.; Kliniske; Koppang; Kretschmar; Kroeber; Lloyd; Mahoney; Meier; Metcalf; Mueller; Nottestad; Onstad; Pietsch; Pollert; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Timm; Wald; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1316 lost.

SECOND READING OF HOUSE BILL

HB 1334: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to income limitations that apply to the property tax exemption for farm residences and buildings; 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 5 YEAS, 90 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Brusegaard; Haas; Kerzman; Klein, F.; Warner

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

ABSENT AND NOT VOTING: Froelich; Hawken; Weisz

HB 1334 lost.

SECOND READING OF HOUSE BILL

HB 1405: A BILL for an Act to amend and reenact subsection 23 of section 57-15-06.7 of the North Dakota Century Code, relating to the county tax levy limitation for ambulance services; 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 85 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.;

Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Wald; Warner; Weiler; Wentz; Wikenheiser; Winrich; Speaker Bernstein

NAYS: Bellew; Brusegaard; Delzer; Drovdal; Gunter; Nelson; Renner; Rennerfeldt; Ruby; Timm; Wrangham

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1405 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1440: A BILL for an Act to create and enact a new section to chapter 34-01 of the North Dakota Century Code, relating to nursing mothers.

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 33 YEAS, 63 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Disrud; Ekstrom; Fairfield; Galvin; Glassheim; Grumbo; Gullerson; Hanson; Hunskor; Jensen; Johnson, N.; Kelsh, S.; Kerzman; Kroeber; Lemieux; Mahoney; Maragos; Metcalf; Mueller; Niemeier; Nottestad; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Warner; Wentz; Winrich

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

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1440 lost.

SECOND READING OF HOUSE BILL

HB 1458: A BILL for an Act to provide an appropriation to the department of human services for traumatic brain injury counseling and education services.

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 32 YEAS, 64 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Galvin; Glassheim; Grumbo; Gullerson; Gunter; Hanson; Hawken; Hunskor; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Niemeier; Onstad; Schmidt; Solberg; Thoreson, L.; Thorpe; Warner; Wentz; Winrich

NAYS: Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Froseth; Grande; Grosz; Haas; Herbel; Huether; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Kretschmar; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Ruby; Sandvig; Severson; Skarphol; Svedjan; Thoreson, B.; Tieman; Timm; Wald; Weiler; Wikenheiser; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1458 lost.

SECOND READING OF HOUSE BILL

HB 1464: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to elimination of income limitations for the property tax exemption for farm residences and buildings; 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 11 YEAS, 85 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Brusegaard; Haas; Johnson, D.; Kerzman; Klein, F.; Lemieux; Niemeier; Ruby; Warner

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

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1464 lost.

SECOND READING OF HOUSE BILL

HB 1470: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to respite and adult day care services.

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 20 YEAS, 75 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Disrud; Ekstrom; Fairfield; Glassheim; Grumbo; Hawken; Hunskor; Kelsh, S.; Kerzman; Niemeier; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Warner; Winrich

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

ABSENT AND NOT VOTING: Froelich; Wald; Weisz

HB 1470 lost.

SECOND READING OF HOUSE BILL

HB 1475: A BILL for an Act to amend and reenact section 12-44.1-21 of the North Dakota Century Code, relating to prohibited acts in correctional facilities; 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 PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1475 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3001: A concurrent resolution urging Congress to provide for a consistent system of grain grading based upon point-of-origin grain grading.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Delzer; Froelich; Weisz

HCR 3001 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1204: A BILL for an Act to amend and reenact subsection 15 of section 57-02-01 of the North Dakota Century Code, relating to the definition of true and full value for property tax assessment purposes relating to commercial rental property; 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 4 YEAS, 92 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Berg; Brusegaard; Klemin; Lemieux

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

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

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1204 lost.

SECOND READING OF HOUSE BILL

HB 1235: A BILL for an Act to amend and reenact subsection 1 of section 15-40.1-16 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-26 of the North Dakota Century Code, relating to school district transportation payments.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 22 YEAS, 74 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Carlisle; Carlson; Cleary; Disrud; Ekstrom; Grande; Hanson; Hawken; Kelsch, R.; Kelsh, S.; Klein, F.; Koppelman; Kroeber; Maragos; Martinson; Meier; Nottestad; Porter; Ruby; Thoreson, L.; Weiler; Speaker Bernstein

NAYS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Fairfield; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gullerson; Gunter; Haas; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kempenich; Kerzman; Kingsbury; Klein, M.; Klemin; Kliniske; Koppang; Kretschmar; Lemieux; Lloyd; Mahoney; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Onstad; Pietsch; Pollert; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thorpe; Tieman; Timm; Wald; Warner; Wentz; Wikenheiser; Winrich; Wrangham

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1235 lost.

SECOND READING OF HOUSE BILL

HB 1244: A BILL for an Act to amend and reenact sections 18-10-01, 18-10-02, and 18-10-03, subsection 1 of section 18-10-04, sections 18-10-05, 18-10-11, and 57-15-26.3 of the North Dakota Century Code, relating to qualified electors in a rural fire protection district.

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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1244 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1341: A BILL for an Act to amend and reenact section 57-51-14, subsection 2 of section 57-51-15, and section 57-51-16 of the North Dakota Century Code, relating to allocation of oil and gas gross production tax revenues to political subdivisions by the tax commissioner.

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 69 YEAS, 27 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Glassheim; Grumbo; Guleson; Hanson; Huether; Hunskor; Kelsh, S.; Kerzman; Kroeber; Lemieux; Mahoney; Metcalf; Mueller; Niemeier; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Warner; Winrich

ABSENT AND NOT VOTING: Froelich; Weisz

HB 1341 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1343: A BILL for an Act to amend and reenact section 15-40.2-10 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-29-02 of the North Dakota Century Code, relating to nonresident students attending elementary or high schools in this state.

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, 93 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Cleary; Thorpe

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

ABSENT AND NOT VOTING: Froelich; Maragos; Weisz

HB 1343 lost.

MOTION

REP. BELTER MOVED that HB 1390 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1346: A BILL for an Act to amend and reenact section 15-40.2-10 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-29-02 of the North Dakota Century Code, relating to tuition agreements for students attending school in bordering states.

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

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

ABSENT AND NOT VOTING: Froelich; Kliniske; Maragos; Weisz

HB 1346 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to provide for a workers compensation bureau performance incentive pilot 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 0 YEAS, 93 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Froelich; Kliniske; Maragos; Nicholas; Weisz

HB 1420 lost.

SECOND READING OF HOUSE BILL

HB 1457: A BILL for an Act to amend and reenact section 23-13-15 of the North Dakota Century Code, relating to residential rental property smoke detection systems.

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

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

NAYS: Cleary; Glassheim; Koppelman; Metcalf; Mueller; Thorpe; Warner

ABSENT AND NOT VOTING: Froelich; Kliniske; Maragos; Weisz

HB 1457 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3014: A concurrent resolution requesting the Director of the Department of Transportation to place a sign identifying the county into which a person is traveling at the county line beside each highway in the state highway system.

ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 60 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Carlisle; Cleary; DeKrey; Delmore; Disrud; Drovdal; Ekstrom; Fairfield; Glassheim; Grumbo; Gulleeson; Hanson; Hawken; Hunsakor; Jensen; Kelsh, S.; Kempenich; Kerzman; Kretschmar; Kroeber; Lemieux; Metcalf; Mueller; Niemeier; Nottestad; Onstad; Schmidt; Solberg; Warner; Wentz; Wikenheiser; Winrich

NAYS: Bellew; Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlson; Clark; Delzer; Devlin; Dosch; Eckre; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Herbel; Huether; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Martinson; Meier; Monson; Nelson; Nicholas; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Skarphol; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Weiler; Wrangham; Speaker Bernstein

ABSENT AND NOT VOTING: Froelich; Maragos; Renner; Weisz

HCR 3014 lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3015: A concurrent resolution directing the Legislative Council to study the separation of powers between the legislative and judicial branches and the distinction between the responsibilities of each branch.

ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 81 YEAS, 13 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hanson; Huether; Hunsakor; Jensen; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Kliniske; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tieman; Wald; Warner; Weiler; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

NAYS: Delmore; Disrud; Eckre; Fairfield; Hawken; Herbel; Johnson, N.; Klein, M.; Klemin; Nottestad; Sandvig; Timm; Winrich

ABSENT AND NOT VOTING: Froelich; Maragos; Renner; Weisz

HCR 3015 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3023: A concurrent resolution directing the Legislative Council to study the use of easements to protect agricultural and other lands in North Dakota.

ROLL CALL

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

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

NAYS: Brusegaard; DeKrey; Weiler

ABSENT AND NOT VOTING: Froelich; Maragos; Renner; Weisz

HCR 3023 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION ON CONSENT CALENDAR

HCR 3017: A concurrent resolution directing the Legislative Council to study the method of providing legal representation for indigent criminal defendants and the feasibility and desirability of establishing a public defender system.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Delmore; Froelich; Maragos; Renner; Weisz

HCR 3017 passed on a recorded roll call vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1092 as printed on HJ pages 347-348, which motion prevailed.

HB 1092 was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1092: A BILL for an Act to create and enact a new subsection to section 12.1-08-06 of the North Dakota Century Code, relating to escapes and jurisdiction over escapes; to amend and reenact subsection 1 of section 12.1-08-06 of the North Dakota Century Code, relating to escapes; to repeal sections 29-03-15 and 29-03-16 of the North Dakota Century Code, relating to escapes; and to declare an emergency.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Froelich; Maragos; Renner; Weisz

HB 1092 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. M. KLEIN MOVED that the House do concur in the Senate amendments to HB 1180 as printed on HJ page 360, which motion prevailed on a voice vote.

HB 1180 was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1180: A BILL for an Act to amend and reenact section 37-10-03.2 of the North Dakota Century Code, relating to the authority of the adjutant general to lease or vacate property.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Delmore; Froelich; Maragos; Renner; Weisz

HB 1180 passed and the title was agreed to.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1223.

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 2013, SB 2098, SB 2099, SB 2124, SB 2153, SB 2246, SB 2346.

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 2015, SB 2276.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1126, HB 1137, HB 1205, HB 1222, HB 1339, HCR 3010.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1221.

REPORT OF STANDING COMMITTEE

HB 1130: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1130 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1157: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1157 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "commission" with "initiative"

Page 1, line 3, after "duties," insert "and", remove ", and staffing", and replace "commission; to provide an" with "quality schools initiative; and"

Page 1, line 4, remove "appropriation;" and remove"; and to declare an emergency"

Page 1, line 6, replace "**commission**" with "**initiative - Advisory board**" and remove "**- Purpose**"

Page 1, line 7, replace "commission" with "initiative advisory board"

Page 1, remove lines 14 and 15

Page 1, line 16, replace "g" with "f"

Page 1, line 18, replace "h" with "g"

Page 1, remove lines 20 through 24

Page 2, remove lines 1 through 3

Page 2, replace line 5 with "advisory board. The governor, in consultation with an advisory board of educational leaders, shall establish a quality schools initiative."

Page 2, remove line 6

Page 2, line 7, replace "commission" with "initiative"

Page 2, line 12, replace "**commission**" with "**initiative**"

Page 2, line 13, replace "commission" with "initiative"

Page 2, line 16, replace "quality schools commission" with "governor"

Page 2, line 19, remove "at a public forum"

Page 2, line 20, remove "commission with" and remove the second "the"

Page 2, line 21, replace "commission" with "quality schools initiative"

Page 2, line 24, after the period insert "To implement the goals of the quality schools initiative, the governor may contract with outside consultants and facilitators to carry out the assessment and improvement process."

Page 2, line 25, replace "commission" with "quality schools initiative"

Page 2, line 27, replace "commission" with "initiative"

Page 2, line 29, replace "commission" with "quality schools initiative"

Page 3, line 1, replace "commission" with "quality schools initiative"

Page 3, remove lines 3 through 18

Page 3, remove line 21

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1171: Appropriations Committee (Rep. Timm, Chairman) recommends **DO NOT PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1171 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1182: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1182 was placed on the Sixth order on the calendar.

Page 2, line 4, replace "An institution of higher education." with "Services or facilities provided by a system or institution of higher education to:

- a. Institution employees or students at institution facilities or housing owned or leased by the institution;
- b. Affiliated organizations, including alumni operations and research foundations, formed for the purpose of supporting the institution or leased by the institution and offering products and services intended primarily for the benefit of institution employees, students, or guests;
- c. Casual users using the institution's facilities for conferences, seminars and other similar special events, and broadcasters of athletic events;
- d. Occupants of technology parks, or business incubators receiving secretarial or business start-up support in facilities owned or leased by the institution during a business start-up phase for a term not to exceed four years or until August 1, 2005, whichever is later; and
- e. Educational, governmental and nonprofit users of system or institution interactive video conferencing site facilities and associated network services.

Institutions may not unreasonably restrict access by a telecommunications company to institution facilities for the purpose of furnishing telecommunications services to residents in institution housing or to other persons or entities leasing institution facilities, except institutions may limit access to residence halls. Institutions may require reasonable payment for and adopt reasonable restrictions on the use of institution telecommunications infrastructure to avoid service interruptions or increased maintenance or administrative burdens."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1217: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1217 was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove "and" and after "54-52.6-03" insert ", 54-52.6-06, and subsection 2 of section 54-52.6-09"

Page 1, line 3, after "in" insert "and payment of administrative expenses of" and after "plan" insert "; to authorize the borrowing of funds; to provide an appropriation; to provide an effective date; and to provide for application"

Page 3, line 5, after the period insert "An eligible employee may not elect to participate in the defined contribution retirement plan until the eligible employee has attended an education program developed by the board."

Page 4, line 1, after the period insert "An eligible employee may not elect to participate in the defined contribution retirement plan until the eligible employee has attended an education program developed by the board."

Page 5, line 23, overstrike "and employee" and overstrike "pursuant to sections"

Page 5, line 24, overstrike "54-52-05 and 54-52-06" and insert immediately thereafter ", less vested employer contributions made pursuant to section 54-52-11.1"

Page 5, line 25, after "election" insert "plus the employee account balance"

Page 5, after line 27, insert:

"SECTION 5. AMENDMENT. Section 54-52.6-06 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-52.6-06. Administrative expenses - Continuing appropriation. The administrative expenses of the plan must be paid by the participating members in a manner determined by the board. The board ~~or~~ and vendors contracted for by the board may charge reasonable administrative expenses and deduct those expenses from the contribution to a participating member's account in the defined contribution retirement plan established under this chapter, from the moneys already in a participating member's account, or from both. In determining reasonable administrative expenses, the board may include an amount necessary to implement an appropriate investment education program. The board shall place any money deducted by the board in an administrative expenses account with the state treasurer. The board may also use funds from the payroll clearing account established pursuant to section 54-52.3-03 to pay for consulting expenses. All moneys in the payroll clearing account and the administrative expenses account, not otherwise appropriated, or so much of the moneys as may be necessary, are appropriated to the board on a continuing basis for the purpose of retaining a consultant as required for the administration of this chapter.

SECTION 6. AMENDMENT. Subsection 2 of section 54-52.6-09 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. The employer shall contribute an amount equal to four and twelve hundredths percent of the monthly salary or wage of a participating member. If the employee's contribution is paid by the employer under subsection 3, the employer shall contribute, in addition, an amount equal to the required employee's contribution. Of the amount contributed by the employer on behalf of an employee first electing to participate in this program after June 30, 2001, the board may withhold up to six hundredths percent of the monthly salary or wage of the participating member for general administrative expenses, which moneys must be deposited into the administrative expenses account. The employer shall pay monthly such contribution into the participating member's account from its funds appropriated for payroll and salary or any other funds available for such purposes. If the employer fails to pay the contributions monthly, it is subject to a civil penalty of fifty dollars and, as interest, one percent of the amount due for each month of delay or fraction thereof after the payment became due.

SECTION 7. AUTHORITY TO BORROW FUNDS. The public employees retirement system board may borrow up to \$250,000 from the Bank of North Dakota for the purpose of defraying the administrative expenses of the defined contribution retirement program until such time as there are sufficient assets in that program to pay off any loan and support the administrative expenses of the program. The term of the loan may not be longer than thirteen years. If requested by the public employees retirement system board, the Bank of North Dakota shall make any loan, at a rate agreed to by the parties.

SECTION 8. APPROPRIATION. There is appropriated out of any moneys in the administrative expense account created by section 54-52.6-06 and the payroll clearing account created by section 54-52.3-03, in the state treasury, the retirement fund, and the loan authorized by section 7 of this Act, not otherwise appropriated, the sum of \$250,000, or so much of the sum as may be necessary, to the public employees retirement system board for the purpose of administering this chapter, for the biennium beginning July 1, 2001, and ending June 30, 2003. The public employees retirement system board is authorized two additional full-time equivalent positions to implement

this Act. The transaction costs experienced by the fund in liquidating securities to transfer to the defined contribution program on behalf of employees electing to transfer to that program must be reimbursed to the retirement fund in the same manner as contributions to the fund.

SECTION 9. EFFECTIVE DATE. Sections 5, 6, 7, and 8 of this Act become effective July 1, 2001, and sections 1, 2, 3, and 4 of this Act become effective July 1, 2003.

SECTION 10. APPLICATION OF ACT. This Act does not apply to nonclassified employees who did not elect to transfer to the defined contribution retirement plan within the timeframe provided by section 54-52.6-02 as that section was in effect on June 30, 2001."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1246: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1246 was placed on the Sixth order on the calendar.

Page 2, line 31, replace "five-tenths" with "twenty-five hundredths"

Page 4, line 24, replace "2000" with "2001"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1278: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (13 YEAS, 2 NAYS, ABSENT AND NOT VOTING). HB 1278 was placed on the Sixth order on the calendar.

Page 3, line 13, after the underscored period insert "Notwithstanding the provisions of this section, section lines located south and west of the Missouri River are open to hunting."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1293: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1293 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "in grades four, eight, and twelve"

Page 1, line 10, after the period insert "This test must be administered to at least one grade level selected within each of the following grade spans: grades three through five; grades six through nine; and grades ten through twelve."

Page 1, line 14, remove "both aptitude and"

Page 3, line 14, after "to" insert "public school" and replace "in grades four, eight, and twelve, the comprehensive test of basic skills," with "a test that is"

Page 3, remove line 15

Page 3, line 16, remove "used to fulfill the requirements of this section must be"

Page 3, line 17, after the period insert "This test must be administered to at least one grade level selected within each of the following grade spans: grades three through five; grades six through nine; and grades ten through twelve."

Page 3, line 21, remove "both aptitude and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1330: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1330 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 create and enact a new section to chapter 35-30 and a new section to chapter 35-31 of the North Dakota Century Code, relating to notices for priority of agricultural processor's liens and agricultural supplier's liens; and to amend and reenact sections 35-30-01 and 35-31-01 of the North Dakota Century Code, relating to agricultural processor's liens and agricultural supplier's liens.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 35-30-01 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

35-30-01. Agricultural processor's lien authorized. Any person who processes any crop or agricultural product is entitled to a lien upon the crop or product processed for the reasonable value of the services performed. A lien taken pursuant to this section upon anything other than the crop or product processed is void. As used in this chapter, the term "processor" includes persons threshing, combining, drying, or harvesting any crop or agricultural product. The agricultural processor's lien is effective from the date the processing is completed. An agricultural processor's lien filed as a security interest created by contract to secure money advanced or loaned for any purpose is not effective to secure a priority over liens filed under section 35-05-01. In a civil action brought under this section in which it is alleged that an agricultural processor's lien is filed to secure an extension of credit for money advanced or loaned for any purpose, the court shall award to the prevailing party reasonable actual and statutory costs and reasonable attorneys' fees.

SECTION 2. A new section to chapter 35-30 of the North Dakota Century Code is created and enacted as follows:

Notice of services provided - Requirement to secure priority.

1. To be eligible for priority status under section 35-30-03, a processor shall deliver to a lender, which must be a person in the business of lending money and which must have a prior perfected security interest in the collateral at issue, written notice that lists the services provided which are eligible for a processor's lien. Delivery of a notice under this section must be made by certified mail, facsimile transmission, or other verifiable method. The processor shall deliver the notice to the lender within forty-five days after the services are performed.
2. The notice must include the:
 - a. Name and business address of the lender receiving notification;
 - b. Name and address of the processor claiming the lien;
 - c. Price agreed upon for processing, or if a price is not agreed upon, the reasonable value of the processing; and
 - d. Name and residential address of the person to whom the services were or will be furnished.
3. The processor shall deliver a copy of the notice to the person to whom the services were or will be furnished.
4. If a processor fails to give a lender notice as provided under this section, a lien on the services is not eligible for priority under section 35-30-03.

—
SECTION 3. AMENDMENT. Section 35-31-01 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:
 —

35-31-01. Agricultural supplier's lien authorized. Any person who furnishes supplies used in the production of crops, agricultural products, or livestock is entitled to a lien upon the crops, products produced by the use of the supplies, and livestock and their products including milk. As used in this chapter, the term "supplies" includes seed, petroleum products, fertilizer, farm chemicals, insecticide, feed, hay, pasturage, veterinary services, or the furnishing of services in delivering or applying the supplies. An agricultural supplier's lien filed in accordance with section 35-31-02 is effective from the date the supplies are furnished or the services performed. An agricultural supplier's lien filed as a security interest created by contract to secure money advanced or loaned for any purposes is not effective to secure a priority over liens filed under section 35-05-01. In a civil action brought under this section in which it is alleged that an agricultural supplier's lien is filed to secure an extension of credit for money advanced or loaned for any purpose, the court shall award to the prevailing party reasonable actual and statutory costs and reasonable attorneys' fees.

— **SECTION 4.** A new section to chapter 35-31 of the North Dakota Century Code is created and enacted as follows:

— Notice of services provided - Requirement to secure priority.

1. To be eligible for priority status under section 35-31-03, a supplier shall deliver to a lender, which must be a person in the business of lending money and which must have a prior perfected security interest in the collateral at issue, written notice that lists the supplies furnished and services performed which are eligible for a supplier's lien. Delivery of the notice must be made by certified mail, facsimile transmission, or other verifiable method. The supplier shall deliver the notice within forty-five days after the supplies are furnished or the services are performed.
2. The notice must include the:
 - a. Name and business address of the lender receiving notification;
 - b. Name and address of the supplier claiming the lien;
 - c. Description of the transaction;
 - d. Date or anticipated date of the transaction;
 - e. Retail cost or anticipated cost of the supplies furnished and services performed; and
 - f. Name and residential address of the person to whom the supplies and services were or will be furnished or performed.
3. The processor shall deliver a copy of the notice to the person to whom the supplies and services were or will be furnished or performed.
4. If a supplier fails to give a lender notice as provided under this section, a lien on the supplies or services is not eligible for priority under section 35-31-03."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1336: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1336 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "repeal" with "amend and reenact"

Page 1, line 4, replace "**REPEAL**" with "**AMENDMENT**" and replace "repealed." with "amended and reenacted as follows:

SECTION 2. The property being sold must be used by Stark County for the development of a county fairgrounds public purpose. If the property ceases to be used for that purpose, ownership of the property reverts to the state of North Dakota."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1352: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1352 was placed on the Sixth order on the calendar.

Page 1, line 10, after "Dakota" insert "or section 44-08-21" and after "elector" insert "of the political subdivision in which the official is being recalled"

Page 1, line 12, replace "mailing" with "residential, rural route, or general delivery"

Page 1, line 16, after "electors" insert "of the political subdivision in which the official is being recalled"

Page 1, line 19, after "reason" insert "or reasons"

Page 2, line 3, replace "Address" with "Complete Residential, Rural Route, or General Delivery Address"

Page 2, line 10, after "elector" insert "of the political subdivision in which the official is being recalled"

Page 2, line 11, after "Dakota" insert "and the political subdivision"

Page 2, line 13, replace "mailing" with "residential, rural route, or general delivery"

Page 2, line 17, replace "Mailing" with "Residential, Rural Route, or General Delivery"

Page 3, line 29, after "Dakota" insert "or section 44-08-21"

Page 9, line 1, replace "A recall petition may be circulated for one year from the date it is approved for" with "To be effective, a recall petition must be submitted to the appropriate filing officer within six months after the date the recall petition is approved for"

Page 9, line 10, replace "on the ninth Tuesday" with "not sooner than fifty days nor later than sixty days"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1368: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO NOT PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1368 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1370: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1370 was placed on the Sixth order on the calendar.

Page 1, line 10, after "contribution" insert "in excess" and overstrike "or more"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1374: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1374 was placed on the Sixth order on the calendar.

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

Page 1, line 4, replace "A" with "Any World War II" and replace "entered the military service of the United States while" with "did not receive"

Page 1, line 5, replace "student" with "diploma"

Page 1, remove lines 6 and 7

Page 1, line 8, replace "b" with "a"

Page 1, line 11, replace "c" with "b"

Page 1, line 13, replace "must apply to the school district in which the veteran" with "shall complete an application on a form prescribed by the superintendent of public instruction. A county veterans' service officer shall certify the veteran's status as an honorably discharged veteran who served during the qualifying period to the superintendent of public instruction. The superintendent of public instruction shall forward the application to the school district in which the veteran last attended school before"

Page 1, line 14, remove "was enrolled at the time of" and replace "or if the" with ", the application must be forwarded to"

Page 1, line 15, remove "school board of" and after "district" insert "that has jurisdiction. If a school district"

Page 1, line 18, replace "or" with "and"

Page 1, after line 22, insert:

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

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1383: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO NOT PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1383 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1396: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1396 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "watershed" with "water quality"

Page 1, line 15, after the second "of" insert "water quality improvement" and after "projects" insert an underscored period

Page 1, remove lines 16 through 18

Page 1, line 23, after "for" insert "water quality improvement" and remove "authorized under section 319 of the"

Page 1, line 24, remove "Federal Water Pollution Control Act [Pub. L. 100-4; 101 Stat. 52; 33 U.S.C. 1329]"

Page 2, line 3, after "for" insert "water quality improvement" and replace "authorized under section 319 of the Federal" with an underscored period

Page 2, remove lines 4 and 5

Page 2, line 11, after "include" insert "water quality improvement" and remove "for"

Page 2, remove line 12

Page 2, line 13, remove "319 of the Federal Water Pollution Control Act [Pub. L. 100-4; 101 Stat. 52; 33 U.S.C. 1329]"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1397: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1397 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1404: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1404 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "or" with "and" and after "produced" insert "in this state"

Page 1, line 15, remove ", or wholesale"

Page 1, line 16, after "lots" insert ", and not for resale,"

Page 1, line 21, after the period insert "A farm winery may not engage in any wholesaling activities. All sales and delivery of wines to any other retail licensed premises may be made only through a wholesale liquor license.

3. The farm winery shall pay to the state the wholesaler taxes and the sales taxes on all wines sold by the farm winery as set forth in sections 5-03-07 and 57-39.2-03.2.
4. The farm winery shall report quarterly to the state tax commissioner the total quantity of wine sold by type and the amount of taxes due to the state in the manner and on the forms prescribed by the state tax commissioner."

Page 1, line 22, replace "3" with "5"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1406: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1406 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1441: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1441 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new subsection to section 50-24.1-02.6 of the North Dakota Century Code, relating to medical assistance benefits; and"

Page 1, after line 3, insert:

"SECTION 1. A new subsection to section 50-24.1-02.6 of the North Dakota Century Code is created and enacted as follows:

The department of human services shall provide medical assistance benefits to minors and pregnant women without consideration of assets."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1454: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1454 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "15-03-05" with "15-03-04"

Page 1, line 18, remove "annually"

Page 1, line 19, after "funds" insert "for the teachers' fund for retirement and the public employees retirement system"

Page 2, line 8, remove "The investment in the state investment fund is not guaranteed a six percent"

Page 2, line 9, remove "average annual return."

Page 3, line 9, replace "state residents" with "investors"

Page 3, line 17, after the first underscored comma insert "to the extent funds are available and"

Page 3, line 23, after "moneys" insert ", not to exceed twenty million dollars."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3022: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, ABSENT AND NOT VOTING). HCR 3022 was placed on the Sixth order on the calendar.

Page 2, line 9, remove "and"

Page 2, line 11, after "efforts" insert ", and disease concerns associated with the translocation of free ranging wildlife"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2112, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2112 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE BILLS

Reps. Monson, Belter and Sens. Lyson, G. Nelson, Trenbeath introduced:
(Approved by the Delayed Bills Committee)

HB 1478: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to charging inmates for room and board at correctional facilities.

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

Rep. R. Kelsch introduced:
(Approved by the Delayed Bills Committee)

HB 1479: A BILL for an Act to create and enact chapter 57-34.1 of the North Dakota Century Code, relating to the taxation of mobile telecommunications; and to provide an effective date.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Herbel, Kingsbury introduced:

HCR 3047: A concurrent resolution directing the Legislative Council to study the property tax assessment and valuation of agricultural property.

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

FIRST READING OF SENATE BILLS

SB 2265: A BILL for an Act to amend and reenact subsection 2 of section 6-08-16 and subsection 4 of section 6-08-16.2 of the North Dakota Century Code, relating to the civil penalty for issuing a bad check or draft.

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

SB 2383: A BILL for an Act to amend and reenact section 27-09.1-14 of the North Dakota Century Code, relating to the compensation of jurors.

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

SB 2426: A BILL for an Act to amend and reenact section 12.1-09-04 of the North Dakota Century Code, relating to harassment of and communication with jurors; and to provide a penalty.

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

MOTION

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

MOTION

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

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

MARK L. JOHNSON, Chief Clerk